

UNITED STATES DISTRICT COURT
DISTRICT COURT OF MASSACHUSETTS

CIVIL ACTION NO.04-12429RWZ

1st Amended Complaint
March 10 2005

Plaintiff: Michael J Hyde

v.

Defendants: State of Massachusetts

State Trooper Paul Baker
State Trooper Rachael Ruthier

Clerk-Magistrate of Dedham District Court Salvatore Paterna
Dedham District Court Judge Thomas Connors

Norfolk County District Attorney William R. Keating
Norfolk County Assistant District Attorney Jason Bolio
Norfolk County Assistant District Attorney Max Pearlman

Norfolk County House Of Correction

Massachusetts State Police Crime Lab
Carl Selavka Director of the Ma State Police Crime Lab
Bob Pino CODIS Administrator of the Ma State Police Crime Lab

Edward A. Flynn Massachusetts Office Of Public Safety

Tom Reiley Attorney General of Massachusetts

Mitt Romney Governor of Massachusetts

The plaintiff is a resident of Stoughton, Ma. Norfolk County in the State of Massachusetts and is a documented Citizen / natural person of the United States.

The Defendants are assumed to be U S Citizens and living in Massachusetts

Jurisdiction

This Court has jurisdiction over this matter pursuant to Title 28. United States Code 1331

On February 15 2003, State Trooper Paul Baker of the Framingham State Police pulled me over on a Federally funded interstate highway 128 north based on the color of my license plate. At the stop the officer I recall had his weapon drawn and shouted obscenities at me and demanded me to leave my car. I was driving a sports car and had long hair in which the officer believed and profiled me as a "drug dealer". Without charging me with a crime, Baker placed me in cuffs and placed me under arrest. Its important to note, Baker claimed he was in fear for his safety but never called for back-up to support his claim As I recall, I was never read or explained of my rights during my entire exposure to Baker.

Baker entered my vehicle without permission and without a warrant. He placed me in cuffs citing the need for his safety. Although Baker was being verbally abusive, I complied with his demands as I was in fear for my life as this officer had his gun already drawn at me. Baker was looking all over my car in almost all the compartments and tearing up some areas of my car. Baker claimed he found a voice-activated tape recorder under steering compartment. As Baker emerged from my car, shut the recorder off and he stated clearly and with sadistic tone said "you can get hurt for this ". It was my belief that this recorder being voice-activated may have started up.

I must state that under the circumstances given that I had given no provocation such as any confrontational movement or speech on my part, and with a gun drawn on me from the beginning of this, I was in a state of fear and was not thinking about anything else but this belligerent officer shooting me. As I was charged with the state statute ch 272 sec 99, the state wiretap statute, I recall that I told him I was compliant with the Federal Statute, Title 18 Sec 2511, under exemption 2D. Baker used an explicative to make me shut up and said that I didn't have his permission to record him even in public. I said, the law that your charging me with never states or infers that I need permission to record. I'd bet your voice is not on the tape I stated. More explicatives from Baker. I stated that this would be a documentary, diary or at least a sound recording protected by Title 17.

Baker forced me into the car by that I mean he made my head hit the roof of this police car. As the tow truck showed up, I asked him to shut my car off, Baker never asked me to shut the car off and was on this whole time .As baker entered his cruiser, he stated it's in my interest to shut up if you know what's good for you. I told him that you are wrong on so many levels constitutionally and legally. I said that if you shut off the recorder, then you edited the tape, which is in violation of this law. Your obstructing justice. He stated "It's your word against mine" .I said what happened is on the tape. Baker said you'd never hear or see it again. You have to turn the evidence over to me as stated in the state statute. Baker said are you explicative, you'll be up against the DA, the court, and me. You're in violation of article 5 and 12 of the state constitution also. You should shut the explicative up now Baker said. You're violating the US constitution also pertaining to the 1st, 2nd, 4th, 5th, 6th, 8th, and 14th Amendments just to name a few. I was taken to the station a photo was taken of me; I was given a citation because of the color of my plates, an arraignment docket and later released at a cost of \$500.00 bail. My wife was also demanded to produce a license before they would accept the bail money.

On November 24th, 2004, in a hearing in front of Judge Connors I was under extreme duress as DA Keating was pushing for jail time, I was forced with the potential threat of losing my freedom to agree to probation of which the Judge knew I coerced by the threats of the prosecution. The prosecution, as one part of the plea recommended a psychological evaluation in which Connors concurred with. What's interesting about this is if there was any question of my mental faculties, shouldn't I have been evaluated prior to any hearings or trial dates? It seems obvious that this condition was to add insult to injury at my expense and a clear intent to cruel and unusual punishment. Connors also removed the dismissal of the plate violation ordered by Magistrate O'Neil and reinstated it. What was disturbing also about Connors was he stated "imagine cloning 12 Michael Hyde's" then ordered my DNA to be submitted to the state. The prosecution demanded that this alleged recording be destroyed. Connors ordered it. I stated to Connors that this is a violation of the 1st Amendment and also US Code Title 17 the Copyright statute. This was destruction of evidence that only state officials claimed they heard and I never got to examine this alleged wiretap. Due process of the law was never in existence in this case. I can legally reopen this case but this tape, which can reveal the States case was filled with lies, which falls in the category of deformation of character, was destroyed upon the State officials orders. What's more is that the officers voice was never on this tape and the charge of attempted wiretap was also added as a back up to Bakers complaint.

By using my property without my permission, and by forcing myself, the author, to pay a fine more than \$2400 for possessing speech protected by the 1st Amendment and then destroying copy write protected material, the goal of censorship was achieved at the additional expense of Federal Law, the US Constitution, and International Law. I lost twenty days of work, dealt with the personal stress this case has put on the people around me. Due to the terms of my probation, I will lose about another 24 days due to this action committed against me by the State of Massachusetts.

I was ordered to set a date for the DNA test. A person, who stated his name was Steve, demanded my ssn or this state agency would refuse to admit me. On February 18th, 2005, I was forced to turn over 9 DNA blood samples and 2 fingerprints. This was another day from work. I told this agency that this also a violation of Constitutional merit along with Patent and copyright infringement, and a violation of Trade Secrets.

Around June 2003 I had called The State House, Attorneys Office, Office of Public safety to name a few. I told them what was happening and wanted this to stop. These agencies didn't seem to care about Constitutional violations committed against me. I sent certified letters as to the cost of the rights to use my properties see attached figures 1-3. I stated to them that if they admit fault I would not broaden my legal approach. That meaning Federal Court. The State of Massachusetts, Dedham District Court, and State Police have used my property in defiance of the conditions listed in my certified letters sent to them. This property and material is protected by the US Constitution, Copyright Law, Patent Law, Trade Secrets as well as International Law. My Civil Rights as well as the R.I.C.O statute is also violated by the State illegal actions. To this date the State has refused to give me back my documentary, {A day in the life Michael J Hyde}.

The 5th Amendment was infringed due to the fact that the moment play was pressed; my voice became a witness against myself. This property was taken for public use by the State. I had sent letters {see figures 1-3} to various State agencies addressing this issue. I have not been compensated for my materials to which the State was told in advance of the conditions to use such items. By taking a DNA sample, I am forced to testify against myself and Due process is further eroded away.

The 6th Amendment was violated because the witness here was a tape and the mere existence of the witness subjected me to criminal State law. The State denied me this witness from my arraignment on. And finally, with the recommendation on the DA and the order of Judge Connors, they killed this witness.

The 8th Amendment, cruel and unusual punishment. No one else has ever charged and convicted of monitoring / recording a government official in open public. Not even the Record and Movie Industry has been charged for their illegal activities of wiretap. This conviction compels me to loose certain Constitutional rights and employment positions due to an act that was protected under Federal Law and the US Constitution. I have to turn over my DNA for a non-violent so called State crime that is discriminately applied and labeled a felony. This would be cruel and unusual punishment when compared to violent crimes against another person or even kids in which the offence is considered a misdemeanor.

The 13th Amendment sec 1 is violated when my DNA, which is I under proper cell division, is held under involuntary servitude or as a slave to be utilized by the government.

The 14th Amendment Right was unconstitutionally taken from me when the State law was in contrast to Title 18 sec 2511 under exemption 2d, copyright law, Trade secret Law, Patent Law. I was denied equal protection under the State law, Due process, and deprived of property {my tape, fingerprints, DNA}.

To summarize, I want my intellectual property returned to me from the State or any other agency that received any information relating to or deriving from this State action. This would include my tape of A Day In The Life of Michael J Hyde, my 9 DNA samples and 2 finger prints taken by the State Feb 18, 2005, my 20 fingerprints and 2 photos taken from me at the Norfolk County House of Correction, my photo and fingerprints taken at the Framingham State Police, any and all documents relating to myself from Dedham District Court or for that matter all entities to return my effects back to my possession. Also All criminal charges of the State involving me removed permanently.

In addition to this I am the only one that produces my DNA and Fingerprints, which are exclusive to me. And as the Social Security Numbers were never to be used to identify persons that appear on tax information as well as Federal, state, and local government documents. It seems obvious that my SSN can logically be my patent number citing functionality creep.

ATTENTION

Figure 1

I, Michael J Hyde, am writing this formal letter to let you know that your state agencies have in their possession an office device (voice activated recorder) that is located at the Framingham State Police station. This device is in use at this state agency without compensation to the alleged owner Michael J Hyde. This exercise of the State without compensation is in violation of State Constitution (Article 1, 12 and 14) and United States Constitution (4th and 5th) Amendments just to name a few.

The recorder has been in the states possession since February 15, 2003 and is built up late fees and interest charges. As of now being the date September 4, 2004, the total charges are \$5550.00 US dollars. This breaks down to \$7.50 a day at 566 days plus \$20 overdue charges per month (19 months) plus 20% interest. Be aware that the daily rental fee will increase September 13th to \$10.50 daily with the monthly overdue charges to \$25.00 and interest charges to be set to 21.5%.

It is imperative that this situation receives closure as to alleviate a complex situation from expanding to other legal and vastly more costly avenues. Please feel free to contact me at (home 781 341 4299), (work 617 697 8893) or write to Michael J Hyde at 148 Brickel Rd, Stoughton, MA, 02072

This Attention Letter is intellectual property of Michael J Hyde and is protected by US Code Title 17 and other international treaties relating to intellectual property and is not to be copied or reproduced unless specified by Michael J Hyde.

Thank you for your attention, Michael J Hyde.

WARNING

Figure 2

The use of any and all forms of intellectual property relating to Michael J Hyde is protected under Federal and International Law. Any use of this property without prior consent is in violation of United States Code Title 17 and the Berne Copyright Treaty. This warning is not designed to give amnesty to any entities that has violated these laws and others that are not listed here, this is merely a formal notice letting you know what can happen. It is up to the person(s) or entities that wish to utilize this property to contact its creator, Michael J Hyde. Because of the nature of how this property was taken without permission and with a firearm drawn on it's creator on a Federally funded Interstate Highway, other laws may apply including the RICO STATUTE.

Intellectual property of Michael J Hyde includes any and all representations of his images, sounds, thoughts weather past, present and future. Images include photos, video, medical films, tattoos, DNA, visual costumes or characters, fingerprints, staged performances, in essence all visual data that is identified as Michael J Hyde. Sounds include devices used to make a musical performance and or sound recording, vocal recordings for music, dialog to a live performance, any character created sonically or vocally, documentaries such as A Day In The Life OF Michael J Hyde, in essence all sounds identified as that of Michael J Hyde. Thoughts include all creative concepts abstract and or concrete that are fixed to a tangible format such as a photo, micro cassette, compact disc, electronic storage device, etc.

Michael J Hyde reserves all rights to all forms of intellectual property created by Michael J Hyde unless otherwise specified in writing. Unless otherwise specified to use, copy, or have anything to do with this property be aware that to use this intellectual property, it has a value affixed to it of \$230,000,000 (two hundred thirty million U S dollars) However if this intellectual property is used prior to Michael J Hyde receiving the payment specified with intent to harm and causes injury to Michael J Hyde such as physical, mental, legal or any other detrimental harm to Michael J Hyde, the affixed value will now be \$230,000,000,000 (two hundred thirty billion U S dollars). Michael J Hyde has the right to employ the use of any Federal or International laws that pertain to recovering damages to commercial value of any and all intellectual property. Also Michael J Hyde has the right to incorporate any foreign entities and or persons to file suit in foreign courts including Europe on his behalf. Please note, the U S Supreme has allowed a lawsuit to be filed in U S District Court in the case of Austria v Altmann which deals with intellectual property stated over \$100 million dollars. This legal road is a two way street in which many countries may want to travel and the intellectual property of Michael J Hyde may be a fine vehicle for Europe to travel on.

If the cost of the property seems expensive in excess in which you are willing to spend, then it is suggested that you cease and desist from use and possession of this property. Furthermore the application may seem selective but it is not intended that way and is no excuse to violate copyright laws that protect the property of Michael J Hyde.

WARNING NOTICE

FIGURE 3

Any and all persons and or entities that wish to use my services or products must pay up front. This includes all DNA, photographs, fingerprints, and or any related documentation related to Michael J Hyde. This notice is a formal warning that cannot be signed away unless payment is received in full to Michael J Hyde. The State of Massachusetts and persons acting as its officers and or employees have stated a demand for my DNA, finger prints and other products of Michael J Hyde as a State Court order that seem to be in violation of State law, the State Constitution, Federal Law, the US Constitution and International Law.

Due to the fact that Michael J Hyde is a manufacturing plant of his DNA, fingerprints, and other created identifiable concepts and or products of Michael J Hyde, this would be a violation of Patient Law as well as a violation of TRADE SECRETS. Entities that are employed by the State and use my tax dollars as payment are my employees and by my rights as the legal guardian of myself, shall not receive freely any products, DNA. Any disclosure forced by the State of Massachusetts would be viewed as a violation of Patent infringement and a violation of TRADE SECRETS in Federal Court and other Courts across the globe.

The State Court has made a troubling demand for my products. By demanding my DNA and or finger prints, my 4th, 5th, and 13th US Constitutional Amendments to name just a few are violated. The State has demanded that I, against my freewill and under duress due to a State law that violates other Federal and International laws as well as the State and Federal Constitutional provisions, I must submit a DNA sample to the State Government of Massachusetts by FEB 18, 2005. As for property taken for public use, I see compensation to the amount of \$1,000,000,000 [one billion US dollars] before FEB 18, 2005 or \$1,000,000,000,000 [one trillion US dollars] after FEB 18, 2005. This figure is doubled due to the violation of the TRADE SECRETS and Patent Law violations. This figure can be negotiated but its up to the State of Massachusetts to call out to me with no direct or indirect threats to myself or finances, incarceration or any other State retaliatory activities. Any agreement that are and will be signed that do not benefit Michael J Hyde and or designed to protect the State from any legal, Constitutional, or financial responsibility shall be deemed as signed under duress and shall not be considered legally binding.

Thank you for your time in this matter. I do hope to here from you in the near future, before Feb 18, 2005. Contact me at 148 Brickel Rd, Stoughton, MA 02072 or call at 781-341-4299. Thank you. Michael J Hyde.